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Nevada Bar No. 7709

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10 | Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

The parties, through their respective counsel, hereby stipulate and agree that the above-captioned case be reversed and remanded to the Commissioner of Social Security for a hearing before an Administrative Law Judge (ALJ) and a new decision in regard to Plaintiff's applications for disability benefits. On remand, the ALJ will take any necessary action to complete the administrative record, offer Plaintiff a hearing, re-evaluate Plaintiff's ability to perform other work at step five, to

1 include obtaining vocational expert evidence as necessary, while resolving any inconsistencies  
2 between the VE testimony, the DOT, and the RFC, and issue a new decision.

3 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. § 405(g),  
4 and that Plaintiff may be entitled to reasonable attorney fees and costs pursuant to the Equal Access to  
5 Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

6 The parties further request that the Clerk of the Court be directed to enter a final judgment in favor  
7 of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

8 DATED this 25th day of November 2024.  
9

10 Respectfully submitted,

11 JASON M. FRIERSON  
United States Attorney

12 MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration

13 s/ Franco L. Becia  
FRANCO L. BECIA  
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DATED this 25th day of November 2024.

s/ *Franco L. Becia* For \_\_\_\_\_  
MARC V. KALAGIAN  
Attorney for Plaintiff  
(PER EMAIL AUTHORIZATION)

IT IS SO ORDERED:



\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

DATED: November 26, 2024

## **CERTIFICATE OF SERVICE**

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 6401 Security Boulevard, Baltimore, MD 21235. I am not a party to the above-entitled action. On the date set forth below, I caused service of **STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT FOR PLAINTIFF** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing to:

Marc V Kalagian

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I declare under penalty of perjury that the foregoing is true and correct.

DATED this 25th day of November 2024

/s/ Franco L. Bacia  
Franco L. Bacia  
Special Assistant United States Attorney